REMARKS

Claims 1-10 are all the claims pending in the application. Applicant thanks the Examiner for acknowledging Applicant's claim for foreign priority and for providing an initialed copy of Form PTO-1449 for the Information Disclosure Statement (IDS) submitted on January 5, 2001.

The Examiner objected to the lack of any reference numeral 2 in the figures. To address the Examiner's concern, Applicant amends Fig. 1 to included the omitted reference numeral. Applicant therefore respectfully requests the Examiner to substitute the drawing sheet on file with the enclosed drawing sheet, and also to withdraw the objection to the drawings.

Claim Rejections - 35 USC § 112

Claim 7 was rejected by the Examiner under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner states that there is insufficient antecedent basis for the term "said threshold value" in line 8 of claim 7. Applicant has amended claim 7 to resolve this deficiency.

Claim Rejections - 35 USC § 102

Claims 1-4, 8-10 were rejected under 35 U.S.C. 102(b) as being anticipated by Raffel et al. (U.S. Patent No. 5,675,629). Applicant respectfully traverses the rejection of these claims for the following reasons. Raffel et al. is directed towards a mobile station that communicates with both a cellular network, by which it is assigned a mobile identification number, and to a cordless

cellular base station utilizing the same cellular frequency range and communications protocol.

Independent claim 1 recites:

1. A multi-standard mobile telecommunications terminal adapted to operate with base stations of a public cellular network and at least one fixed part of at least one preferred cordless telephone local network, the terminal including communication means for communicating with each of said networks and switching means including means for searching for a fixed part of a local network and commanding the communication means to operate with one or the other of said networks according to the result of the network search conducted by the search means, the terminal including means for programming and processing events triggering a search for the fixed part or parts of the local networks in which the terminal can operate, said programming and processing means activating the search means on the occurrence of programmed triggering events.

Regarding claims 1 and 2, the Examiner states that Raffel et al. clearly show a mobile station 12 in Figure 1 that communicates with both a cellular network 16 and to a cordless cellular base station 10 (citing column 2, lines 26-30). Applicant submits that while this disclosure shows communications with a cellular network (part of claim 1), the Examiner has not shown how the mobile station 12 "communicates" with or "searches for" a cordless *telephone local network* as recited in claim 1. That is, in Raffel et al. it is the cellular base station that connects to a landline on a public switched telephone network (see col. 2, lines 30-33).

In fact, Applicant respectfully submits that Raffel et al. actually teaches away from the present invention. Applicant turns the Examiner's attention to col. 1, line 65 - col. 2, line 24. This section states that handsets are known that switch between communications with a cellular network and an RF cordless telephone unit. However, Raffel et al. teaches that the hardware

necessary to do this is significant, and increases the size, weight, and cost of the handset. Thus, the Raffel et al. invention was designed to avoid the use of this significant hardware by using only cellular communications between the mobile unit 12 and the cellular base stations. As such, the Raffel et al. invention and the present invention are clearly different.

In addition, claim 1 recites that mobile telecommunications terminal includes means for programming and processing events triggering a search for the fixed part or parts of the local networks. The Examiner states that this feature is disclosed in col. 3, lines 25-45. This section of Raffel et al. only refers to mobile stations that automatically register with cordless cellular base stations. There is no disclosure that these mobile stations can be programmed to search for communications based on events. Rather, it is the cellular base station which decides whether to allow automatic registration from a mobile station such as a handset and whether the handset is allowed to establish communications with the cellular base station. These concepts are quite different. Further, there is no disclosure, nor would one of ordinary skill in the art expect there to be, of the mobile station searching for a fixed part of a cordless telephone local network because the mobile station 12 operates using cellular base stations. Accordingly, Applicant submits that claim 1 is allowable.

Claim 2 is allowable based on its dependency on claim 1. In addition, claim 2 recites a feature whereby a user can program the programming and processing means to define the triggering events. In Raffel et al., there is no disclosure of *programming triggering event*s, nor that a *user* can program mobile unit 12. Rather, as noted above, there is only automatic registration by the mobile station 12 (see, for example, col. 2, lines 32-36). When the mobile

station 12 is in the vicinity of a cellular base station, and is registered, it connects automatically to the cellular network.

Claim 3 recites that the triggering event is a predefined sequence of keystrokes associated with a command of the terminal. Similar to the arguments above for claims 1 and 2, the mobile station 12 of Raffel et al. uses automatic registration. There is no disclosure of using keystrokes to change networks. The Examiner cites col. 3, lines 60-67 as disclosing this feature. However, this section of Raffel et al. is related to the cordless cellular base station and not mobile station 12. Further, this section is silent with respect to any keystrokes.

Claim 4 recites means for evaluating traffic load of a local network *as a function of time.* The Examiner states that Raffel et al. disclose means of avoiding transmitting on a frequency already in use nearby the public or private cellular network 16 or by the cordless cellular base stations 18 using interference score measurements. The Examiner further explains by using appropriate channel abandonment thresholds, the cordless cellular base station 10 randomly selects for its backup frequencies, a specified number of downlink frequencies whose scores are below a high threshold value (Ht), Figure 21 (column 6, 28-36). Applicant respectfully submits that while the Raffel et al. device is operable to change operating frequencies based on an interference score measurement, there is no disclosure that this change is made as a function of time. Applicant respectfully reminds the Examiner each and every element must be taught or suggested by the prior art under a 35 U.S.C. § 102 rejection.

Claim 8 recites that the triggering event is the fact that the terminal is in a cell of the public network overlapping the coverage area of a cordless telephone local network. As

discussed above, the mobile station 12 of Raffel et al. does not discriminate based on location of a local telephone network - only cellular base stations. As such, Applicant submits that this feature is not taught or suggested.

Claims 9 and 10 are allowable at least for their dependence on claim 1.

Claim Rejections - 35 USC § 103

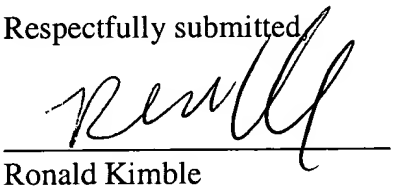
Claim 5 was rejected under 35 U.S.C. 103(a) as being unpatentable over Raffel et al. in view of Madhavapeddy et al. (U. S. Patent No. 5,875,400). Claim 5 recites a feature whereby switching means are activated by the programming and processing means as a function of the frequency of use of said networks by the user. The Examiner states that Raffel does not explicitly disclose the storing of frequencies used. However, the Examiner alleges that the preceding limitation is known in the art of communications and cites Madhavapeddy et al., column 2, lines 43-46 as disclosing this feature (Applicant believes that the cited section by the Examiner is actually col. 3, rather than col. 2 as noted in the Office Action). The Examiner states that Madhavapeddy et al. disclose the use of storing frequencies of the network, that is, information relating to mobiles 10a, 10b, within the service area of the mobile switching center. Yet, Applicant submits that a mobile switching center that can store frequencies and is operable to locate handsets (mobiles) is not a handset (mobile) that stores frequencies. As such, there is no disclosure in Madhavapeddy of a handset (mobile terminal) that stores frequencies as recited in claim 5. Further, claim 5 also recites that switching means are activated by the programming and processing means as a function of the frequency of use of said networks by the user. There

is no mention of switching based on a function of frequency of use of said networks in either Raffel et al. or Madhavapeddy et al., nor does the Examiner indicate this. As such, Applicant respectfully submits that claim 5 is allowable.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Ronald Kimble
Registration No. 44,186

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: December 12, 2003